

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO, <i>ex rel.</i>)	
STATE ENGINEER, <i>et al.</i>,)	69cv07896 BB
)	Rio Pueblo de Taos
Plaintiffs,)	Adjudication
)	
v.)	69cv7939 BB
)	Rio Hondo Adjudication
EDUARDO ABEYTA, <i>et al.</i>,)	(Consolidated)
and CELSO ARELLANO, <i>et al.</i>,)	
)	Rio Pueblo de Taos Section
Defendants.)	Acequia Madre del Sur del Canon
)	
)	Subfile No. 20.82

ORDER GRANTING MOTION TO AMEND DEFAULT ORDER

This matter came before the Court on the August 18, 2009 Motion to Amend Default Order (“Motion” or “State’s Motion”) (Doc. No. 5379), filed by the State of New Mexico *ex rel.* State Engineer (“State”) with respect to water rights identified under Subfile No. 20.82. No responses or objections to the State’s Motion were filed. Accordingly, the Court, having considered the State’s Motion, and being otherwise fully advised in the premises, finds that the Motion is well taken and that it should be GRANTED:

IT IS THEREFORE ORDERED, the Default Order (Doc. No. 5379) is amended to:

1. state the full and correct name of the subfile owner, Manuel R. Pacheco; and
2. accurately describe the point of diversion for the surface water right in Subfile

No. 20.82 as follows:

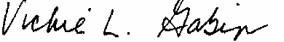
The Acequia Madre del Sur del Canon diverts out of the south bank of the Rio Fernando de Taos located in the Fernando de Taos Grant. The position of this diversion on the New Mexico Coordinate System, Central Zone, is: X=706,260 and Y=1,956,750. Approximately 0.7 miles below its point of diversion on the

south bank of the Rio Fernando de Taos, water is diverted from the Acequia Madre del Sur del Canon into the Randall Reservoir. The Randall Reservoir is located in Tract 12, Map 20, Rio Pueblo de Taos Hydrographic Survey, with a capacity of 35 acre-feet. The rate of diversion for the Randall Reservoir is 1.1 cubic feet per second.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

Recommended for approval:



VICKIE L. GABIN
SPECIAL MASTER